

## **COMMENTS**

The enclosed is responsive to the Examiner's Office Action mailed on June 17, 2003. At the time the Examiner's Office Action was mailed claims 1, 2, 4 - 38 and 40 - 98 were pending. By way of the present response the Applicant has: 1) amended claims 1, 2, 4 - 25, 31, 33 - 38, 40 - 50, 56 - 61, 63 - 73, 75, 76, 79, 81, 82, 84 - 86, 88, 90, 91, 94, 96 and 97; 2) added new claim 99; 3) not canceled any claims. As such claims 1, 2, 4 - 38 and 40 - 99 are now pending. The Applicant respectfully requests reconsideration of the present application and the allowance of claims 1, 2, 4 - 38 and 40 - 99.

In the Office Action mailed June 17, 2003, the Examiner rejected all claims under 35 USC 112, second paragraph with the reasoning that the Applicant's independent claims referred to programmable parameters as features possessed by a buffer (See, Examiner's Office Action mailed 6/17/03, "it is impossible for a buffer to comprise a parameter because a buffer is a tangible object, but a parameter is a mathematical abstraction that represents a property"). In response the Applicant has amended each of independent claims 1, 34, 42, 50, 69, and 84 to reflect that the claimed programmable parameters are attributed with a buffer so that buffered cells or fixed size portions of traffic can be identified.

Specifically, claim 1 now recites:

"... the first and second unidirectional FIFO buffers each to buffer cells of which the cells of networking traffic are comprised, the cells that are buffered able to be delineated in light of a bits per word programmable parameter and a words per cell programmable parameter ...";

claim 34 now recites:

“... the first and second unidirectional FIFO buffers to buffer cells, the cells that are buffered able to be delineated in light of a bits per word programmable parameter and a words per cell programmable parameter ...”;

claim 42 now recites:

“... the cell read from or written to the first unidirectional buffer able to be delineated from other cells that are buffered within the first unidirectional buffer based upon of a bits per word programmable parameter and a words per cell programmable parameter ...”

claim 50 now recites:

“... said fixed sized portions of queued egress information having boundaries made determinable in light of a programmable bits per word size parameter for said egress FIFO buffer and a programmable words per fixed size portion of egress traffic parameter ...”

“... said fixed sized portions of queued ingress information having boundaries made determinable in light of programmable bits per word size parameter for said ingress FIFO buffer and a programmable words per fixed size portion of ingress traffic parameter ...”

claim 69 now recites:

“... identifying a boundary of a fixed size portion of egress traffic within said egress FIFO buffer based upon said programmed bits per word size parameter for said egress FIFO and said programmed words per fixed size portion of egress traffic parameter ...”

“... identifying a boundary of a fixed size portion of ingress traffic within said ingress FIFO buffer based upon said programmed bits per word size parameter for said ingress FIFO and said programmed words per fixed size portion of ingress traffic parameter ...”

and claim 84 now recites:

“... means for identifying said fixed size portions of egress traffic within said egress FIFO buffer based upon said programmed bits per word size parameter for said egress FIFO and said programmed words per fixed size portion of egress traffic parameter ...”

... means for identifying said fixed size portions of ingress traffic within said ingress FIFO buffer based upon said programmed bits per word size parameter for said ingress FIFO and said programmed words per fixed size portion of egress traffic parameter ...”.

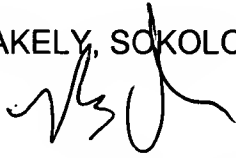
In light of these claim amendments the Applicant respectfully submits that each of the pending claims are presently in allowable form. Therefore the Applicant respectfully requests the allowance of all claims.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Robert B. O'Rourke at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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 10/17/03  
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